

केन्द्रीय सूचना आयोग
Central Information Commission
बाबा गंगनाथ मार्ग , मुनिरका
Baba Gangnath Marg, Munirka
नई दिल्ली, New Delhi – 110067

द्वितीय अपील संख्या/Second Appeal No.: **CIC/DDATY/A/2022/120886**

Renu Bala Kochhar

.....अपीलकर्ता/Appellant

VERSUS/बनाम

Public Information Officer Under RTI,
Assistant Director-(GH), Delhi Development Authority,
Group Housing Branch, Room No.-203, C-III,
2nd Floor, Vikas Sadan, INA Colony,
New Delhi-110023.

Public Information Officer Under RTI,
Assistant Director-(RTI Section),
Delhi Development Authority,
RTI Implementation & Coordination Branch,
C-Block, 3rd Floor, Vikas Sadan, I.N.A. Colony,
New Delhi-110023.

...प्रतिवादीगण/Respondents

Relevant facts emerging from appeal:

RTI application filed on	:	05.10.2021
CPIO replied on	:	Not on record
First appeal filed on	:	04.01.2022
First Appellate Authority order	:	Not on record
Second Appeal received at CIC	:	02.05.2022
Date of Hearing	:	06.01.2023
Date of Decision	:	06.01.2023

सूचना आयुक्त : श्री हीरालाल सामरिया
Information Commissioner: Shri Heeralal Samariya

Information sought:

The Appellant sought following information:

Information Required: Submitted to Assn. Director (GH) on 24-02-2022 vide Receipt NO REC/LD/20/4687. Further, in response to Comy(LD)'s Whatsapp dt 15-08-21; the 3rd copy of Challan NO 01 8162 dt 01-02-21 for BSS, 075/- on a/c of proportionate-
(क्या भीतिगत है, सामान्य (अन-फ्लैट) सॉफ्ट वर है, कृपया विवरण दें) Ground rent also Submitted but the execution letter for execution of Conveyance Deed has not yet received till date as the considerable period has since been elapsed.

- Dissatisfied with no response received from PIO, Appellant filed First Appeal, vide letter dated 04.01.2022.
- Written submission has been received from the Respondent vide letter dated 02.01.2023 as under :

A notice of CIC hearing No. CIC/DDATY/A/2022/120886 dated 19.12.2022 has been received in this office vide Dy. No. 363 dated 22.12.2022.

In this regard, an Execution Call letter No. F8(75998)2019/GH/DDA/1352 dated 02.01.2023 for the execution of conveyance deed for the Flat No. C-801, Sukh Sagar Apartments, Plot No. 12, Sector-9, Dwarka New Delhi in the name of Mrs. Renu Kochhar has been issued (copy enclosed). The undersigned PIO had also whatsapp the above mentioned Execution Call Letter to the applicant Mrs. Renu Kochhar.

Grounds for Second Appeal:

The PIO has not provided correct information to the Appellant.

Relevant Facts emerging during Hearing:

The following were present: -

Appellant: Present

Respondent: Ms. Kamini, AD/GH.

The Appellant submitted that no reply was furnished to her within stipulated time frame. She further submitted that subsequently she made First Appeal dated 04.01.2022 despite that neither her First Appeal was adjudicated nor requisite information relating to her RTI Application was furnished to her. She submitted that execution letter for execution of conveyance deed of her flat was not issued to her despite various requests. She submitted that she had cleared all the dues and has also paid the ground rent, but the officials failed to issue execution letter

for execution of conveyance deed. She stated that she has received the requisite information at this stage after delay. She insisted upon imposition of penalty upon the erring CPIO.

The Respondent submitted that execution call letter dated 02.01.2023 has been issued by the department in favour of the Appellant. The CPIO feigned ignorance as regards the reasons for the delay in replying the instant RTI application.

Decision:

Commission, after perusal of case records and submissions made during hearing, expresses severe displeasure over the conduct of the then PIO in not having provided appropriate reply to the RTI Application within the time frame stipulated under the RTI Act. Therefore, Commission directs **then PIO through the present PIO** to send his/her written submissions to justify as to why action should not be initiated against him/her under Section 20 of the RTI Act for the gross violation of its provisions. In doing so, if any other persons are also responsible for the omission, the then PIO shall serve a copy of this order on such other persons under intimation to the Commission and ensure that written submissions of all such concerned persons are sent to the Commission. **The said written submission of then PIO along with submissions of other concerned persons, if any, should reach the Commission within 30 days from the date of receipt of this order.**

The present PIO will ensure service of this order to then PIO.

Nevertheless, as submitted by the Appellant the PIO has provided the requisite information to her at this stage. In given circumstances, the Commission is of the considered opinion that an appropriate reply has been provided to the Appellant by the Respondent. Hence, no further intervention of the Commission is required in the matter.

The appeal is disposed of accordingly.

Heeralal Samariya (हीरालाल सामरिया)
Information Commissioner (सूचना आयुक्त)

Authenticated true copy
(अभिप्रमाणितसत्यापितप्रति)

Ram Parkash Grover (रामप्रकाशगोवर)
Dy. Registrar (उप-पंजीयक)
011-26180514

Copy to be served through the PIO to:

Then PIO,

Assistant Director-(GH), Delhi Development Authority,
Group Housing Branch, Room No.-203, C-III,
2nd Floor, Vikas Sadan, INA Colony,
New Delhi-110023.

--(For complying with the directions mentioned as above)--

